

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

Michael Segura,

Plaintiff

v.

Zurich American Insurance Company, et al.,

Defendants

Case No.: 2:21-cv-01086-JAD-BNW

**Order Adopting Report and
Recommendation and Denying Motion to
Enforce Settlement Agreement and for
Sanctions**

[ECF Nos. 19, 24]

Mediation of this insurance-coverage action resulted in a settlement earlier this year. But a dispute over the language of the written release caused the defendant Zurich American Insurance Company to bring a motion to enforce the settlement agreement, asking the court to order the plaintiff to sign the version of the release that Zurich prefers.¹ The magistrate judge has evaluated Zurich's motion and recommends that I deny it.² She reasons that the disputed language is "a material term that was not agreed upon" at the time that the settlement was reached.³ She also finds that "sanctions are not warranted."⁴ The deadline for any party to object to that report and recommendation was yesterday, and no party filed an objection or moved to extend the deadline to do so. "[N]o review is required of a magistrate judge's report and recommendation unless objections are filed."⁵ Having reviewed the report and recommendation, I find good cause to adopt it, and I do.

¹ ECF No. 19; corrected version at ECF No. 22.

² ECF No. 24 at 5.

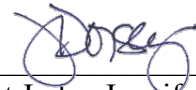
³ *Id.*

⁴ *Id.*

⁵ *Schmidt v. Johnstone*, 263 F. Supp. 2d 1219, 1226 (D. Ariz. 2003); *see also Thomas v. Arn*, 474 U.S. 140, 150 (1985); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003).

1 IT IS THEREFORE ORDERED that the magistrate judge's report and recommendation
2 **[ECF No. 24] is ADOPTED** in its entirety.

3 IT IS FURTHER ORDERED that Zurich American Insurance Company's Motion to
4 Enforce Settlement and Compel Dismissal of Action and Motion for Award of Attorney's Fees
5 and Costs **[ECF No. 19] is DENIED.**

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8 U.S. District Judge Jennifer A. Dorsey
9 November 1, 2022
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